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Debate Rises Over Coke Dust at Ports

Health: A second lawsuit is filed, and the Customs Service decides to close its main office to escape contamination.

January 07, 2000 | [DAN WEIKEL](#) | TIMES STAFF WRITER

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The controversy surrounding potentially harmful petroleum coke in the county's ports broadened Thursday, when a second lawsuit was filed against a major coal terminal and the U.S. Customs Service announced plans to close its main building on Terminal Island, partly because of coke dust contamination.

In addition, the Los Angeles City Fire Department decided last month to cancel its 18-week training programs in the harbor after a preliminary report indicated that exposure to coke dust might increase the risk of cancer for trainees and staff.

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Customs officials said they will relocate almost 500 workers from the U.S. Customhouse, which was built on Ferry Street in 1966. The facility is next to the Los Angeles Export Terminal, an embattled cargo operation that handles and stores coal and petroleum coke.

For years, employees at the Customhouse have been worried about contact with a number of pollutants in the harbor area, especially coke dust, a known health hazard that spreads on the wind.

Petroleum coke, which is exported to Asia for use as an industrial fuel, contains cancer-causing agents. Studies have shown a link between elevated levels of coke dust in the air and the deaths of people with respiratory illness and heart disease.

"Due to the environmental conditions in and around the Customhouse at Terminal Island, the Customs Service plans to move out of the building as soon as possible. We do not intend to return," agency officials said in a prepared statement released Thursday.

Mike Fleming, a Customs Service spokesman in Long Beach, said the agency has been concerned about potential health problems for Customhouse workers, including exposure to coke dust, diesel fumes from passing trucks, and asbestos contained in the building.

Absenteeism has been higher than usual over the last several years, Fleming said, which has caused difficulties for supervisors and hurt the ability of the agency to fulfill its role in the harbor.

The Customs Service will relocate the field operations unit and the office of investigations to metropolitan areas near the harbor and to Los Angeles International Airport, the other major port of entry in the region.

Fleming said the agency has considered closing the Customhouse for several years, but the totality of conditions now surrounding the building has made relocation a top priority.

The decision coincides with a state lawsuit filed last month against 22 defendants, including the Los Angeles Export Terminal, the ports of Los Angeles and Long Beach, and the operators of coal facilities around the harbor.

It alleges that coke dust is being emitted in violation of state air and water pollution regulations, including Proposition 65, which requires companies to warn the public if carcinogens are being discharged near them.

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The case was brought by Victor E. Nilsen, 55, of San Pedro, a veteran customs official who alleges that his office has been shown to contain cancer-causing agents from coke dust.

"It's chaos down at the Customhouse," Nilsen said. "Personnel are so afraid of what the coke is doing to them that as many as 47 employees have gone home sick in one day."

On Thursday, Nilsen filed a lawsuit similar to his state case in federal court. His attorney, Carmen Trutanich of San Pedro, included new allegations that coal facilities have been sweeping spilled coke dust into storm drains, further contaminating harbor waters.

Joining Nilsen as a plaintiff is John E. Papadakis, a longtime restaurateur in San Pedro and chairman of the Harbor-Watts Economic Development Corp., which tries to lure business to the port area.

"The pollution is real, it's been proven, and this is a step in the right direction," Papadakis said. "The risk of harm to people in the harbor cannot be underestimated."

Terminal and coal facility operators have maintained that they are in compliance with all applicable environmental laws and must improve their cleanup efforts under new rules approved in June by the South Coast Air Quality Management District.

Port officials and Gerald Swan, chief executive officer for the Los Angeles Export Terminal, said they could not discuss the federal lawsuit because they have not been served with a copy of it.

Swan and customs officials say the area around the Customhouse has been tested by the federal government several times, and no problems have been found related to coke dust from the export terminal.

Those conclusions conflict, however, with a recent study done on behalf of the Los Angeles City Fire Department. Consequently, the department canceled its 18-week training programs at Drill Tower 40 next door to the export terminal.

Capt. Ken Buzzell, president of the firefighters union, said the preliminary report says anyone working outdoors full time at the drill tower would have a higher risk of developing cancer. He said the industrial hygienist who did the study recommended that firefighters not be assigned to the site.

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